

REMARKS

With the entry of this Amendment, claims 1-8 and 10-12 will be pending in this patent application. Claims 1-6 stand withdrawn from further consideration as being drawn to a non-elected invention.

PRIOR ART REJECTION

Claims 7-12 stand rejected under 35 USC § 103(a) as being unpatentable over JP 59-081059 (JP '059) in view of US 3640028 (Richard) and US 3268634 (Glaser). Applicant traverses this rejection insofar as it might be deemed applicable to any of claims 7, 8 and 10-12 as now presented.

The Examiner acknowledges that the apparatus and method disclosed in JP '059 does not employ a "roller including a portion having a small diameter, which is concaved along a surface of the golf ball," as required by Applicant's independent claim 7.

The Examiner characterizes Richard as teaching "a method of removing molding flashing from a surface of a golf ball by rotating a ball on a roller including a portion having a small diameter, which is concaved along a surface of the golf ball (fig 3)." As a remedy for the acknowledged deficiency of the JP '059 disclosure vis-à-vis the requirements of Applicant's claims, the Examiner proposes a modification of the JP '059 method whereby it would employ "the roller of Richard" ... "in order to better position and gyrate the golf ball of JP 59-81059."

The method and apparatus disclosed by Richard effects removal of molding flash from golf balls using a grinding wheel 11 having axially spaced annular grooves 12 in which a golf ball is received while undergoing removal of the molding flash. As shown, for example, in Fig. 1, a feedwheel 17 confronts grinding wheel 11. A golf ball 28 situated in a groove of the grinding wheel 11 and supported on bar 27 undergoes rotation due to its engagement with the rotating confronting wheels 11 and 17. The golf ball also undergoes random movements between the rotating wheels 11 and 17 due to a spray from nozzle 53 that impinges on the ball. As the golf ball moves while engaging the grinding wheel, it is abraded over its entire surface, as described in column 2, lines 53-56 of Richard.

The Examiner contends that "JP 59-81059 and Richard are combinable because they are analogous with respect to rolling a golf ball on a roller." However, in the JP '059 apparatus, the rolling of the golf ball is done in order to orient the flash for *subsequent* removal. In the Richard method and apparatus, the grooved wheels are *grinding* wheels that impart random movements to the golf balls while the flash is abraded from the balls *by the wheels*. There is no suggestion in Richard of using the grooved wheels to effect an orientation of the flash on the golf balls. Rather, as observed above, in the Richard method and apparatus the movements imparted to the golf balls are random. Nevertheless, as proposed by the Examiner, the attributes of the Richard grinding wheels would be applied to the rollers in the JP '059 apparatus, which are used solely for orienting a golf ball. In view of the fundamental differences in the methods and apparatuses disclosed by JP '059 and Richard, Applicant submits that one of ordinary skill in the art would not have found it obvious to combine them as proposed by the Examiner.

The Examiner characterizes Glaser as teaching "using a roller having a plurality of grooves on a surface of the portion having the small diameter (col 2, lns 24-33; fig 4)." The Examiner contends that the teachings in Glaser would have made it obvious to modify the proposed JP '059-Richard method whereby the rollers would have grooves "in order to improve gripping of the ball by the rollers.

In the method taught by Glaser a golf ball is clamped between three rollers 24, 32, 54 and subjected to a kneading operation for the purpose of rejuvenating the golf ball. As shown in Fig. 3, each of the rollers has a concave surface that accommodates the golf ball. Intersecting parallel grooves in the central region of the concave surfaces form a cross-hatch pattern 70 that forms raised, rounded portions 72 between the grooves. There is no disclosure in Glaser relating to orienting of the golf ball. Applicant submits that, in view of fundamental differences between the rollers employed in the JP '059, Richard and Glaser methods, the combination of teachings proposed by the Examiner cannot be justified on the basis of any disclosures in these documents.

Without acquiescing in the rejection, Applicant has canceled claim 9 and amended claim 7 to incorporate limitations that had been recited in claim 9.

The attitude adjusting device and golf ball manufacturing method disclosed and claimed in this application is an improvement over the apparatus and method disclosed in JP '059, which is cited and discussed on page 2 of Applicant's specification.

In the method disclosed and claimed in this application, advantageous adjustment of the attitude of a golf ball with a spew, or flash, is realized through the use of axially extending grooves within the portion of the roller having a small diameter. When a golf ball with flash is placed on a roller having a smooth surface, the rotational force of the roller is not reliably imparted to the ball. In the operation of the device disclosed and claimed in this application, the flash of the golf ball enters the axially extending grooves, and the rotational force of the roller is reliably imparted to the ball, causing rolling of the ball that allows the attitude of the ball to be adjusted with a high success rate. When the flash abuts the stopper, it no longer engages the grooves, whereby the golf ball slips over the roller easily, and the adjusted attitude of the ball is maintained. This sequence is shown in the three illustrations in Sheet 1 attached to this paper. Thus, through the use of axially extending grooves, rotation is effectively transferred from the roller to the ball, and excessive force is not applied to the ball once the adjusted attitude is achieved. This combination of attributes is not taught or made obvious by the disclosures in the documents applied by the Examiner.

On page 3 of the outstanding Office Action, the Examiner dismisses the limitations of claim 9 as being "a mere obvious matter of choice dependent on equipment availability and of little patentable consequence to the claimed process since it is not a manipulative feature or step of the claimed process."

In the discussion above, Applicant has shown how the axially extending grooves contribute to the performance of the claimed method. Applicant submits, therefore, that the use of an axially grooved roller must be regarded as properly defining an aspect of the claimed method. Applicant challenges the Examiner to show, by citing prior art, how the axially extending grooves are "a mere obvious matter of choice."

In the discussion above, Applicant has shown that independent claim 7 is patentable over the disclosures in JP '059, Richard and Glaser. The dependent claims inherit this patentability and also recite further patentable departures from the prior art applied by the Examiner. There

are, for example, no disclosures in these applied references that meet or make obvious the sectional shape of the roller recited in claims 8 and 10, the speed of the roller recited in claim 11 or the positions of the stopper parts recited in claim 12.

In view of the foregoing observations, Applicant submits that no reasonable combination of the disclosures in JP '059, Richard and Glaser can properly serve as a basis for rejecting independent claim 7 and dependent claims 8 and 10-12 under 35 USC § 103(a).

CONCLUSION

In view of the amendments, observations and arguments presented herein, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection stated in the outstanding Office Action and recognize all of the pending claims as allowable.

If unresolved matters remain in this application, the Examiner is invited to contact Frederick R. Handren, Reg. No. 32,874, at the telephone number provided below, so that these matters can be addressed and resolved expeditiously.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: January 15, 2008

Respectfully submitted,

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Attachment: Illustration of Invention(1 sheet)